

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft **Louisiana Pollutant Discharge Elimination System Permit No. LA0122424; AI 123236; PER20050001** to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The permitting authority for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

- I. **THE APPLICANT IS:** Lamp Environmental Industries, Inc.
11441 Fontana Lane
Independence, LA 70443
- II. **PREPARED BY:** Angela Marse
- DATE PREPARED:** December 20, 2006
- III. **PERMIT ACTION:** Issue LPDES permit LA0122424, AI 123236; PER20050001
- LPDES application received: November 28, 2005

IV. **FACILITY INFORMATION:**

- A. The application is for the discharge of treated sanitary wastewater, equipment washwater, and non-contact stormwater runoff from a hazardous waste transfer facility and large quantity handler of universal waste serving southeast Louisiana. The facility collects, separates, and transfers universal waste (batteries, light bulbs, computer parts, etc.) for proper disposal or reuse. (The facility submitted an application for coverage under the Light Commercial General Permit. However, this permit can not be issued to facilities that handle hazardous waste.)

- B. The facility is located at 11441 Fontana Lane in Independence, Tangipahoa Parish.

- C. The treatment for sanitary wastewater consists of an aerated treatment unit with effluent reduction. Disinfection is by chlorination. Washwater is treated by solids settlement and an oil/water separator.

D. **Outfall 001**

Discharge Location:	Latitude	30° 38' 41" North
	Longitude	90° 31' 53" West

Description: treated sanitary wastewater

Type of Flow Measurement which the facility is currently using: estimate

Expected Flow: 540 gallons per day

Outfall 002

Discharge Location:	Latitude	30° 38' 44" North
	Longitude	90° 31' 53" West

Description: exterior vehicle/equipment washwater, stormwater from the containment pad

Type of Flow Measurement which the facility is currently using: estimate

Expected Flow: 800 gallons per day

Outfall 003

Discharge Location: Latitude 30° 38' 46" North
Longitude 90° 31' 52" West

Description: stormwater runoff

Type of Flow Measurement which the facility is currently using: estimate

Expected Flow: varies with rainfall

Outfall 004

Discharge Location: Latitude 30° 38' 34" North
Longitude 90° 31' 57" West

Description: stormwater runoff

Type of Flow Measurement which the facility is currently using: estimate

Expected Flow: varies with rainfall

V. RECEIVING WATERS:

The discharge is into a parish drainage ditch, thence into Ponchatoula Creek (outfalls 001, 002, and 003) in segment 040505 of the Lake Ponchartrain Basin and into a parish drainage ditch, thence into the Natalbany River (outfall 004) in segment 040503 of the Lake Ponchartrain Basin. These segments are listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 040505 of the Lake Ponchartrain Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Not Supported	Not Supported	Full	Not Supported	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 040505 of the Lake Ponchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

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Section 303(d) of the Federal Clean Water Act requires states to identify waterbodies that are not meeting water quality standards. A pollutant is any substance introduced into the waters of the state by any means that would tend to degrade or impair the chemical, physical, biological, or radiological integrity of such environment. Segment 040505 of the Lake Pontchartrain Basin is on the 303(d) list of impaired waters. The suspected causes of impairment are nutrients, organic enrichment/low DO, pathogen indicators, lead, mercury, TDS, and phosphorus. Section 303(d) of the Federal Clean Water Act further requires that states develop TMDL (Total Maximum Daily Loading) Management Plans for waterbodies determined to be water quality limited.

To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements by a TMDL. Those suspected causes of impairment which are not directly attributed to the discharge have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could attributed pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause, or contribute to an excursion above any present state water quality standard were also eliminated. This includes lead and TDS. Causes of the previous listed impairments that have been associated with sanitary sewage treatment and stormwater runoff will be addressed in the proposed permit as follows. .

Low dissolved oxygen/Organic enrichment

BOD₅ is used as a method to measure the amount of dissolved oxygen in the waste stream utilized by organisms during the decomposition of organic material over a five day period. Monitoring for BOD₅ allows for the determination of the rate of oxidation in the waste stream. Therefore, to protect against the potential for discharges of DO at levels below that of state water quality standards, and for discharges of organic material at levels exceeding state water quality standards, BOD₅ limits have been placed in the permit.

Pathogen indicators

Monitoring for fecal coliform colonies is the best indicator for the potential presence of pathogenic organisms in wastewater. To protect against the development of pathogenic organisms in the receiving waterbodies, fecal coliform limits have been established in the permit for outfall 001, treated sanitary wastewater.

Nutrients/Phosphorus

Phosphorus and nitrogen are considered nutrients. They use up dissolved oxygen needed to support aquatic life. Sources in subsegment 040505 are associated with residential districts. LEI is located in a rural area off the interstate. Flows from the sanitary outfall and equipment washwater outfall are estimated to be less than 1500 gallons per day. Based on the characteristics and estimated flow of the discharges, neither is likely to be a source of nutrients. Therefore, it is unlikely this operation will contribute to this impairment. A TMDL will be done to address the phosphorus impairment. At such time, if warranted, the need for a nutrient/phosphorus limit will be addressed.

Mercury

Mercury sources in this subsegment are attributed to atmospheric deposition and unknown toxics. Although mercury from fluorescent bulbs is handled at this facility, all operations are under roof. Therefore, it is unlikely the operation will contribute to this impairment.

The designated uses and degree of support for Segment 040503 of the Lake Ponchartrain Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Not Supported	Not Supported	Full	Not Supported	N/A	N/A	N/A	N/A

^{1/}The designated uses and degree of support for Segment 040503 of the Lake Ponchartrain Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303(d) of the Federal Clean Water Act requires states to identify waterbodies that are not meeting water quality standards. A pollutant is any substance introduced into the waters of the state by any means that would tend to degrade or impair the chemical, physical, biological, or radiological integrity of such environment. Segment 040503 of the Lake Pontchartrain Basin is on the 303(d) list of impaired waters. The suspected causes of impairment are pathogen indicators, low DO, mercury, and phosphorus. Section 303(d) of the Federal Clean Water Act further requires that states develop TMDL (Total Maximum Daily Loading) Management Plans for waterbodies determined to be water quality limited.

To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements by a TMDL. Those suspected causes of impairment which are not directly attributed to the discharge have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated. This eliminates low DO/organic enrichment, pathogen indicators, mercury, and phosphorus. Since discharges for outfall 004 consist only of non-contact stormwater runoff, effluent limitations will be based on previously approved stormwater parameters. (See Part IX. Proposed Permit Limits.)

VI. ENDANGERED SPECIES:

The receiving waterbodies in Subsegment 040503 and Subsegment 040505 of the Lake Ponchartrain Basin, are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species of the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

Although this is an initial permit issuance, the discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit modification and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mrs Angela Marse
Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Final Effluent Limits:

OUTFALL 001

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Weekly Avg.	Basis
BOD ₅	---	45 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this treatment type and size (according to LAG53000, Class I Sanitary General Permit).
TSS	---	45 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this treatment type and size (according to LAG53000, Class I Sanitary General Permit).

Other Effluent Limitations:

1) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC33:IX.2645.C.)

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

Final Effluent Limits:

OUTFALL 002

LEI is a large quantity handler of universal waste and an authorized hazardous waste transfer facility. In accordance with Louisiana Hazardous Waste Regulations, wastes are stored for 10 days or less. Containers are stored inside and outside. All full containers stored outside are in US Department of Transportation approved vehicles and located on a containment pad (25' x 80' x 4"). Only rainfall falling on the containment pad is discharged through 002. Stormwater accumulation on the pad is limited by a 4" concrete curbing. There is also a sump pump system to collect spills. Containers are elevated to prevent contact with any spilled material. LEI also intends to use this area as an exterior vehicle wash area. Vehicles stored inside also have containment. The container area is sloped to collect in spilled material in the center of the building. The material can be collected for proper disposal. Effluent limitations are based on the light commercial general permit and include exterior vehicle washwater.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Weekly Avg.	Basis
Flow (GPD)	Report	Report	Based on similar discharges from similar facilities in accordance with LDPES General Permit LAG480000 for Light Commercial Facilities, Schedule B. (Effective August 1, 2001.)
TSS	---	45 mg/l	Based on similar discharges from similar facilities in accordance with LDPES General Permit LAG480000 for Light Commercial Facilities, Schedule B. (Effective August 1, 2001.)
COD	200 mg/l	300mg/l	Based on similar discharges from similar facilities in accordance with LDPES General Permit LAG480000 for Light Commercial Facilities, Schedule B. (Effective August 1, 2001.)
Oil and grease	---	15 mg/l	Based on similar discharges from similar facilities in accordance with LDPES General Permit LAG480000 for Light Commercial Facilities, Schedule B. (Effective August 1, 2001.)

Effluent Characteristic	Monthly Avg.	Weekly Avg.	Basis
Soaps and/or detergents	Report ³	N/A	Based on similar discharges from similar facilities in accordance with LDPES General Permit LAG480000 for Light Commercial Facilities, Schedule B. (Effective August 1, 2001.)
Visible Sheen	---	No Presence	Based on similar discharges from similar facilities in accordance with LDPES General Permit LAG480000 for Light Commercial Facilities, Schedule B. (Effective August 1, 2001.)

Other Effluent Limitations:**1) pH**

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC33:IX.2645.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts, or of free oil or oily materials, or of toxic materials in quantities such as to cause acute toxicity to aquatic organisms. Furthermore, there shall be no visible sheen or stains attributable to this discharge. There shall be no accumulation of solids in the receiving stream which have the potential to negatively impact aquatic life or hinder natural drainage. The use of dilution or flow augmentation to achieve effluent concentration limits is prohibited.

3.) Soaps and/or detergents

Each type of soap and/or detergent shall be listed separately on the Discharge Monitoring Report (DMR) along with the total amount of each used during the monitoring period. Additionally, a Material Safety Data Sheet for each material used shall be submitted with the DMRs upon initial use of a new product.

Final Effluent Limits:**OUTFALLS 003, and 004**

All transfer operations occur under roof. Some materials are stored outside in back of 18-wheeler rigs while waiting unloading or transportation. All vehicles are US Department of Transportation approved vehicles and are elevated off the ground. No oil, diesel, or fuel is stored in tanks at the site. For these reasons, effluent limits at outfall 003 and 004 will be based on the Multi-Sector General Permit. The Multi-Sector General Permit, Sector P, includes SIC 4212, Motor Freight Transportation and Warehousing.

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg.	Weekly Avg.	Basis
TOC	---	50 mg/l	Multi Sector General Permit, Sector P. Stormwater associated with industrial activity.
Oil & grease	---	15 mg/l	Multi Sector General Permit, Sector P. Stormwater associated with industrial activity.

Other Effluent Limitations:

1) pH

The pH shall not be less than 6.0 standard units or greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC33:IX.2645.C.)

2) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X. PREVIOUS PERMITS:

LPDES Permit No. LA0122424: No previous permit was issued.

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

The facility is a new facility. No inspections* have been performed for this facility.

B) Compliance and/or Administrative Orders

The facility is a new facility. No enforcement actions* have been administered against this facility.

C) DMR Review

The facility is a new facility. No DMRs have been submitted for this facility.

*The facility has not received any enforcement actions related to water discharge compliance. The facility received HE-PP-05-0182 as a result of an inspection. The facility was storing hazardous waste and universal wastes without a permit.

XII. ADDITIONAL INFORMATION:

PERMIT REOPENER CLAUSE

In accordance with LAC 33:IX.2361.C.3, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Require reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

Please be aware that the Department will be conducting a TMDL in the Lake Ponchartrain Basin scheduled for completion in **2011**. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions as a result of the TMDL. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

STORMWATER POLLUTION PREVENTION PLAN

The requirements of Part II, Section B apply to stormwater discharges associated with industrial activity as defined at LAC 33:IX.2511.B.14.i and Sector P of the LDPES Multi-Sector Stormwater Permit LAR5000. These requirements apply to point source stormwater discharges associated local trucking. Therefore, Lamp Environmental Industries, Inc. will also be required to develop a Stormwater Pollution Prevention Plan to be effective six months from the effective date of the permit.

XIII TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to new a permit for the discharge described in this Statement of Basis.

XIV REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality

Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Lamp Environmental Industries, Inc., Lamp Environmental Industries, Inc., November 28, 2005.